

**Laboratory Certification Standards Review Council
Draft Meeting Minutes From 02/13/2003**

Attendance

Council Members: George Bowman (Vice Chair), Debbie Cawley, Katie Edgington, Randy Herwig, Paul Junio (Chair), Jim Kinscher and Marcia Kuehl (Secretary)

DNR Staff: Greg Pils, Phillip Spranger and David Webb

Others in Attendance: Paul Harris, Jim Knapp and Kurt Knuth

Summary and Action Items

At this meeting the Certification Standards Review Council:

- Reviewed and approved the minutes from the August 2002 and December 2002 Council meetings;
- Elected Paul Junio Chair, George Bowman Vice Chair and Marcia Kuehl Secretary. Terms are for one year and commence at the end of the meeting;
- Were briefed on the Program's fiscal year 2004 budget and fees proposal, and recommended approval of the budget and fees by the Natural Resources Board;
- Were provided a quarterly update on the status of lab audits, audit reports and closures;
- Discussed upcoming training and presentations planned by Program staff and strategies for delivering and funding future training efforts;
- Discussed progress on NR 149 Revisions; and
- Tentatively scheduled the next Council meeting for Tuesday, May 13, 2003.

Agenda Items

I. Check in/Agenda Repair

- A. Council members, DNR staff and Guests were introduced. It was noted that SPEX and Wibby Environmental were approved as Wisconsin reference sample providers, effective January 1, 2003. The approvals were discussed at the last meeting. However, due to the lack of a quorum the approval was delayed until all Council members were able to weigh in through an e-mail ballot.

II. Approval of Previous Meeting's Minutes

- A. Council members reviewed the minutes from the August 15, 2002 and December 4, 2002 Council meetings. Randy Herwig offered a motion to approve the August minutes, Marcia Kuehl seconded and the minutes were approved unanimously. Ms. Kuehl offered a motion to approve the December minutes, Katie Edgington seconded and the minutes were approved. Mr. Herwig requested a copy of the audit status report distributed at the December meeting, and a copy will be sent to the Council members who were unable to attend the meeting.

III. Election of Officers

- A. Paul Junio entertained nominations for Council Chair. Randy Herwig, George Bowman and Jim Kinscher all nominated Mr. Junio. No other nominations were forthcoming and Mr. Junio was elected Council Chair unanimously.
- B. Paul Junio nominated George Bowman as Vice Chair and Randy Herwig seconded. No one else was nominated and Mr. Bowman was unanimously elected Council Vice Chair.
- C. Randy Herwig nominated Marcia Kuehl for Secretary and Katie Edgington seconded. There were no other nominations and Ms. Kuehl was elected Council Secretary unanimously.

IV. Fiscal Year 2004 Budget and Fees

- A. Greg Pils presented the Laboratory Certification and Registration Program's fiscal year 2004 budget and fees to the Council. A public meeting on the proposed fee adjustment will be held tomorrow (Friday, February 14, 2003) at the State Patrol Headquarters in Deforest. The fee adjustment will be voted on by the Natural Resources Board at its March meeting. The numbers presented are still projections at this point because of the uncertainty

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surrounding the state's 2003-2005 biennial budget. It is possible that the budgeted amount could decrease some, but in no case will it increase.

- B. The budget reflects the Program's decision to not hire a summer intern this year – a savings of \$6,240. This is partly an effort to hold the line on the budget and partly because no big project really jumped out.
- C. Projected expenses for FY04 total \$551,408 up 4.5% from \$526,846 in FY03. This is still well below the Program's anticipated Chapter 20 spending authority of \$598,700.
- D. Other budget highlights include:
 - Salary and fringe benefits are projected to rise 4.5 %. However, this assumes the state employee contracts currently before the legislature will be approved.
 - Office supplies and services budget will be cut by \$5,200.
 - Staff training budget will be cut by \$3,000
- E. Paul Junio asked whether this budget included training money to send a Program representative to NELAC meetings and conferences. Since it is difficult to get authorization for out-of-state travel NELAC support will be provided in other ways. Out-of-state audits are one of the only approved out-of-state travel allowed in the Department, because they are mission critical. Paul Junio asked about travel to visit PT providers? This would fall under the out-of-state travel line. George Bowman commented that the PT provider approvals could be done by paper submittal.
- F. The cost per RVU will go up approximately 9% over last year from \$48.50 in FY 2003 to \$53.00 in FY 2004. The reason the cost of an RVU increased more than the overall budget is that the number of relative value units available for FY 2004 will decrease significantly, from 10,599 to 9,963. The number of labs in the program has decreased, but more significantly, labs have dropped test categories.
- G. Randy Herwig questioned the decision to not have a summer intern. He suggested that an intern could work on a training program and that might be really worth the cost in terms of time saved in the future. Greg Pils noted that an intern would cost approximately \$6,000 and the Program is going to be dedicating a lot of other resources to training (e.g., new training coordinator). Mr. Herwig was concerned that some of the upcoming training issues could impact the budget. David Webb stated that he doesn't see any surprises in training that would require an increase in fees.
- H. Paul Junio asked what the odds were that the money we are allowed to spend (the chapter 20 spending authority) would be markedly different to that presented? Greg Pils noted that these numbers will be released with the Governor's budget. The Program's spending authority is expected to increase from \$572,000 to \$598,700, but, given the current budget crisis, it's possible that it could remain at the current level or even be cut. The program kept this in mind while building the FY 2004 budget, and should be able to accommodate all scenarios. We won't know anything about impacts resulting from the State budget until the governor releases his budget next week, and even then, won't have final numbers until the budget is signed later this year.
- I. Greg Pils read a resolution prepared for the council stating that the Council has reviewed and recommends Natural Resources Board approval of the program's proposed fee adjustment. The Council was asked to approve the resolution with the understanding that fees could be less than projected if pay raises in the state employee contracts are rejected by the Legislature's Joint Finance Committee, but that fees will not increase above the current projections under any circumstances.
- J. Randy Herwig motioned to approve the budget resolution, George Bowman seconded, and the resolution recommending Natural Resources Board approval of the proposed FY04 fee adjustment passed unanimously.

[Note: Subsequent to this meeting, the legislature's Joint Committee on Employment Relations voted to return the state employee contracts to the Department of Employment Relations for renegotiation. The Program recalculated employee salary and benefit projections. This reduced the program's budget by \$4,672, resulting in a total budget of \$546,736 and a revised cost per relative value unit (RVU) of \$52.50). The Natural Resources Board unanimously approved this revised fee adjustment on March 26, 2003.]

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V. Audit Status – Quarterly Update

- A. David Webb reported on the Program's audit activity for the first and second quarters the 2002-2003 fiscal year. Audit numbers are summarized in the table below. The central office goal is 44 each of audits, reports and closures annually, or 11 of each per quarter. The goal for the Regional Program is 110 each of audits, reports and closures annually, or 27 to 28 of each quarterly. Mr. Webb noted that there are a hand-full of new labs in the audit queue that have to be seen within 90 days.

	Audits	Reports	Closures
Central Office			
First Quarter	7	9	24
Second Quarter	13	15	13
Regional Program			
First Quarter	23	22	23
Second Quarter	22	25	23

VI. Training and Presentations

- A. David Webb reported that the Program's training efforts are beginning to hit full stride. Rick Mealy has formally been named laboratory training coordinator and is the clear point of contact to work with external groups. Mr. Mealy may attend future Council meetings to provide the training update. The program will continue to push training as long as the audit workload stays on track.
- B. Paul Harris asked whether the program has considered requiring training as part of certification? He's concerned that training is offered, but the people that need training don't seek it out. He would like to see training that levels the playing field and promotes consistency. George Bowman added that the more technical methods are not as clear and are open to interpretation. Training would help with consistency in performing these methods.
- C. George Bowman noted that a group at the WSLH put together a set of goals to identify training needs for 2003-04. The plan was approved but no money was included to do anything. The next step is to consider how to fund the training, either by charging fees, using Lab Cert. fees or by using existing resources.
- D. David Webb inventoried upcoming training:

Advanced QA/QC is planned for March 6, in Winneconne. It is sponsored by WRWA, and Rick Mealy and George Bowman will be presenters. The training is open to non-members, but more could be done to publicize.

E. coli Training will be offered over the next several months. The training will consist of two 2-day, hands-on sessions combined with lectures, supplemented by capsulized PowerPoint information sessions at 5 locations statewide. There will also be a multi-media presentation available on CD. The first 2-day session is set for April 3-4 and either May 8-9 or May 15-16 are being looked at for the second session. The sessions will cover both E. coli and fecal coliform testing.

Mr. Webb noted that surface water quality criteria are currently based on fecal coliforms, but will be switching to E. coli due to requirements in the clean water act. Beginning in 2004, wastewater discharge permits will be switched to E. coli limits from fecal coliforms. The change will be implemented as permits expire over five years. This training is intended to help labs transition over to the new standards.

Metals by ICP training will be offered on April 29-30. The training is a joint effort by DNR and WSLH, with support from WELA. There has been a fair amount of leg-work setting up the training and a flier is in the works. The training will include a brief overview on ICP MS to explain the differences—what it is/is not.

PCB clean-up training. The DNR will soon issue guidance on recommended clean up steps that should be used when analyzing biosolids for PCBs. Rule revisions are in the works to make the clean up steps mandatory (the guidance is voluntary). Some time in May a part-day training session will be held to focus on clean-up procedures needed to achieve lower LODs. Bill Songzoni and Dr. Jim Tortorelli will be involved in the training.

WWOA Presentations. George Bowman and Rick Mealy will offer two sessions at the annual WWOA conference this Fall (October 21-25, 2003, Kalahari Resort in Wisconsin Dells). There will be a 4-hr pre-conference workshop titled "Getting Back to Basics in the Lab" and a 45 minute talk during the conference titled

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“Getting the Best Chlorine Residual Data.” Mr. Webb noted that he would like the Lab Cert. Program to have a presence at the conference with a staffed booth.

Rural Water Water Supply Training. The Program will likely provide support for four WRWA training session this spring, fall and next winter. The sessions are, “Breakpoint Chlorination”, “Defining the Critical Relationships Between pH, Disinfection, and Corrosivity”, “Basic Sampling for Bacteriological Testing” and “How to Report Information Correctly to the DNR.”

VII. Update on NR 149 Revisions

- A. David Webb acknowledged that the momentum of the rule revision effort seems to have slowed a bit, partly because of a long term leave of absence for staff working on the projects. There was general agreement that work products needed to be provided in advance of the meetings so members have a chance to review and digest the material prior to discussing it. There was also concern about not being able to share certain information with constituents.
- B. George Bowman suggested bringing in tangible department positions on issues in the form of draft code language and then discussing and approving them. He felt that too much time was being spent on big picture discussions and suggested that we should be looking at expanding the existing code, not doing a complete rewrite.
- C. Members questioned whether the new council members (Katie Edgington and Jim Kinscher) are also officially on the revision advisory committee. The answer is yes. Some communication clarifying this point will be sent to the new members soon.

VIII. Other Business/Council Member Items

- A. Paul Junio asked whether others had seen an article titled “Feds: Environmental Labs Faking Data.” Mr. Junio wanted to know whether DNR could help debunk some of the misstatements in the article? Mr. Webb felt that that is not really the job of the agency.
- B. David Webb reported that Greg Pils has been named the Certification and Registration Program Coordinator. He will be doing approximately ¾ of the day-to-day program management tasks, such as tracking audits and reviewing reports for consistency. This should leave Mr. Webb more time to attend to other section/bureau duties. Mr. Pils will be attending the Council meetings regularly. This new assignment will not affect Mr. Pils’ duties as an auditor.
- C. David Webb discussed a shift in workload for regional and central office programs. Some of this might be affected by how bacti certification is handled under the new code. The number of labs in the Regional Program is a little unbalanced. There needs to be a shift in workload among the regional auditors. Mr. Webb is thinking about ways to best use regional auditors. The DNR regional boundaries are not making as much sense anymore. It might be better to base responsibility on counties. This is just a “heads-up” that some changes may be afoot.

IX. Future Meeting Dates

- A. The next Council meeting was tentatively scheduled for Tuesday, May 13, 2003. The new Lodi City Hall will be considered as a meeting location and a conference call may be possible depending on the agenda. In addition to the standing agenda items, the Council expressed an interest in getting an update on the NR 148 administrative rule development. Forward suggestions for agenda items to Paul Junio at (920) 261-1660 (e-mail: pjunio@testamericainc.com) or Phillip Spranger at (608) 267-7633 (e-mail: phillip.spranger@dnr.state.wi.us) for the consideration of the Council officers.
- B. Randy Herwig offered a motion to adjourn the meeting, Jim Kinscher seconded and the meeting was adjourned.